

From: Peter
To: Microsoft ATR
Date: 11/28/01 2:55pm
Subject: Microsoft Settlement Offer

To whom it may concern,

I would like to add my weight to the side that is encouraging you NOT to accept the settlement offer from Microsoft that would provide hundreds of millions in software, training, support and hardware to schools in the country.

It seems so obvious that the settlement to saturate the eligible schools with Microsoft products is not punitive but a trophy for the company's anti competitive practices. Regardless of Microsoft's rebuttal that the settlement allows for any type of software/computer (e.g., Apple, Linux, and etc.), it is unrealistic to assume that the process will play out that way. You can assume that any settlement proposed by the accused will be in the best interests of the accused. It is disconcerting to watch Microsoft weave its way above the law. Bill Gates said about proposed DOJ settlement that it was reasonable and fair. How many criminals have you heard say that their punishment was reasonable and fair.

The problem with the settlement is that it replaces potential sales with Microsoft products or with products that support Microsoft. It reduces market size in a time of shrinking markets and it is a major strike against a corner of competition for Microsoft. The education market is not dominated by Microsoft but this settlement will substantially help Microsoft achieve dominance. Is this not counter to the intent of justice?

Punitive action against Microsoft will not have a negative effect on the economy. On the contrary it will help the economy by showing that Microsoft is accountable for its actions. It will also demonstrate that the justice system is not broken.

Thank you for the opportunity to voice my concerns.

Peter Czarny